



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Donald W. Underwood
(703) 308-1112 (ph)
Applicants: Kevin D. Kaschke, Phillip G. Spaniol, and Steven J. Spaniol
Intl. Appl. No.: PCT/US98/18376 *Docket No.:* FT0002R
Intl. Filing Date: 23 October 1998 *Priority Date:* None
Nat'l. Appln. No.: 09/830,005 *Group Art Unit:* 3652
Nat'l. Filing Date: 21 April 2001
Entitled: Agricultural Bale Accumulator And Method Therefor

Kevin D. Kaschke
3105 King Alford Court
St. Charles, IL 60174

November 5, 2009

Amendment and Response

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Responsive to the office action dated May 5, 2009 for the above-identified patent application, the applicant hereby submits the following amendment and response.

1. Application Status.
 - a. Under the present Final Office Action, claims 1-35 are pending in the application. Previously, claims 36-60 have been withdrawn from consideration, without prejudice.
 - b. Claims 1-15 and 17-30 are rejected.
 - c. Claims 16 and 31-35 are objected to.
 - d. Claims 61 and 62 are allowed.
2. Examiner's rejection.
 - a. The examiner rejected claims 1-15 and 17-30 under 35 USC 103(a) as being unpatentable over the known baler system disclosed by the applicants on page 1, lines 22-31 of their specification or in Lundahl, et al. in view of Van Eecke, et al. (U.S. Patent No. 4,955,774) and Vellidus, et al. and Hale, et al.
 - b. The examiner states: "It would also have been obvious to replace the controls in the known baler system or in Lundahl with controls as claimed in view of the automatic controls in